



Entered on Docket
August 24, 2011

A handwritten signature in dark ink, appearing to read "Linda B. Riegle".

Hon. Linda B. Riegle
United States Bankruptcy Judge

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Attorneys for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

**USA COMMERCIAL MORTGAGE
COMPANY,**

Debtor.

Case No. BK-S-06-10725-LBR
Chapter 11

**Order Sustaining Fifth Omnibus Objection
Of USACM Trust To Proofs Of Claim
Based In Whole or In Part Upon
Investment In The Placer I Loan**

Hearing Date: July 26, 2011
Hearing Time: 1:30 p.m.

The Court having considered the "Fifth Omnibus Objection Of USACM Trust To Proofs Of Claim Based In Whole or In Part Upon Investment in The Placer I Loan." ("Placer I Loan") [DE 8444] (the "Objection"); the Court having heard the Objection on July 26, 2011; appropriate notice of the Objection having been given; no response to the Objection having been filed; the Court noting on the record that the disallowance of the Claims listed on Exhibit A does not affect the direct lenders' right to repayment by the borrower or from the collateral securing the Placer I Loan; and good cause appearing:

1 **IT IS ORDERED** that:

2 1. The Objection [DE 8444] is sustained; and

3 2. The claims listed on **Exhibit A** attached are disallowed to the extent those
4 claims are based upon an investment in the Placer I Loan.

5
6 **PREPARED AND RESPECTFULLY SUBMITTED BY:**

7
8 **LEWIS AND ROCA LLP**

9 By /s/ John Hinderaker (AZ #018024)

10 Robert M. Charles, Jr.

11 John Hinderaker (*pro hac vice*)

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16 *Attorneys for USACM Liquidating Trust*
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1 LOCAL RULE 9021 CERTIFICATION

2 In accordance with LR 9021, counsel submitting this document certifies that the order
3 accurately reflects the court's ruling and that (check one):

4 _____ This Court has waived the requirement set forth in LR 9021(b)(1).

5 XXX No party appeared at the hearing or filed an objection to the motion.

6 _____ I have delivered a copy of this proposed order to all counsel who
7 appeared at the hearing, and any unrepresented parties who appeared
8 at the hearing, and each has approved or disapproved the order, or
9 failed to respond, as indicated below [list each party and whether the
10 party has approved, disapproved, or failed to respond to the
11 document]:

12 Counsel appearing: _____

13 _____ I certify that this is a case under Chapter 7 or 13, that I have served a
14 copy of this order with the motion pursuant to LR 9014(g), and that
15 no party has objected to the form or content of the order

14 U.S. Trustee: _____	
15 <input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
16 <input checked="" type="checkbox"/> waived the right to review the 17 order and/or	<input type="checkbox"/> failed to respond to the document
18 Other Party: _____	
19 <input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
20 <input type="checkbox"/> waived the right to review the 21 order and/or	<input type="checkbox"/> failed to respond to the document

22 Submitted by:
23 LEWIS AND ROCA LLP

24 By: /s/ John Hinderaker. (AZ #018024)
25 Attorneys for USACM Liquidating Trust

26 # # #

**Placer Vineyards I
Multiple Loans**

Claim	Date Claim Was Filed	Name	Address	Total Claim Amount	Amount of Claim That Relates to an Investment In the Placer Vineyards I
10725-02445	4/10/2007	Acosta, Ruth	2546 General Armistead Ave Norristown, PA 19403	56,467.05	Unknown
10725-00209	8/28/2006	Acs Properties	Peter Merrifield 4417 48Th Ave S St. Petersburg, FL 33701	406,019.44	202,986.11
10725-01619	12/8/2006	Addes, Kenneth	100 W Broadway Apt 7V Long Beach, NY 11561	394,523.01	100,000.00
10725-02366	1/16/2007	Al-Awar Living Trust Dtd 4/05/01	Adib M & Ellen A Al-Awar Ttees 1330 Burro Ct Gardnerville, NV 89410	3,615,913.62	300,000.00
10725-01408	12/4/2006	Alexander Ind & As Trustees, Stanley & Florence	P.O. Box 95144 Longwood, FL 32779	400,000.00	25,000.00
10725-01904	1/9/2007	Alves Family Trust Dtd 10/27/89	Arnold R & Agnes J Alves Ttees 9904 Villa Granito LN Granite Bay, CA 95746-6481	303,616.62	100,000.00
10725-00089	8/6/2006	Augustine Tuffanelli Family Trust	Augustine Tuffanelli Ttee C/O Thomas R Brooksbank 201 W. Liberty Street Suite 1, Box 3479 Reno, NV 89501	250,000.00	50,000.00
10725-00315	10/4/2006	Barroso, Pedro	3231 Cambridgeshire St Las Vegas, NV 89146	168,017.76	50,000.00
10725-00316	10/4/2006	Barroso, Pedro	3231 Cambridgeshire St Las Vegas, NV 89146	168,017.76	50,000.00
10725-01360	11/13/2006	Berry, William Chad	5725 Daybreak Dr Apt D Mira Loma, CA 91752-5687	200,000.00	50,000.00

EXHIBIT A